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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/070,193	06/03/2002	Burghard Hoffmann	VIR 0002 PA	2917

23368 7590 08/09/2004

DINSMORE & SHOHL LLP
ONE DAYTON CENTRE, ONE SOUTH MAIN STREET
SUITE 1300
DAYTON, OH 45402-2023

EXAMINER

PEYTON, TAMMARA R

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 08/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/070,193

Applicant(s)

HOFFMANN, BURGHARD

Examiner

Tammara R Peyton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 30-37 is/are allowed.
- 6) ☒ Claim(s) 19-23,27 and 29 is/are rejected.
- 7) ☒ Claim(s) 24-26 and 28 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/28/02.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 29 recites the limitation "the Ethernet network card". There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 19, 20, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over IBM-TDB, "Connecting a USB Camera to a LAN", 05/01/99, Vol. 42, Issue # 421.

As per claims 19, 20, and 27, IBM-TDB teaches a circuit for generating image data in real-time for a USB security camera that will be sent to a remote computer. The received data image is compressed and a buffer is arranged to receive the inputted compressed image data, a serial data output, and control logic, characterized in that the control logic is provided for combining the buffered compressed image data into data

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packets with protocol elements of the Ethernet protocol level. (IBM-TDB, See Disclosure Text)

IBM-TDB teaches that video image from the USB security camera is directly converted in Ethernet packets and sent directly to a LAN for viewing via a remote computer. IBM-TDB teaches a physical layer including a data buffer, control logic, and a converter. Ethernet protocol is well known in the art and specifically the seven-protocol levels (OSI model) are also known in the art. The claim invention states that a *lower* level of the Ethernet protocol is used for compressing the image data into data packets, and it is well known in the art that one of the lowest levels is the physical layer. IBM-TDB specifically states that the physical layer provides control logic to buffer the converted image data into Ethernet packets. Therefore, it would have been obvious to one of ordinary skill at the time the invention was made that IBM-TDB teaches that one of the lowest level of the Ethernet protocol is used for directly converting image data into Ethernet data packets for transport over a LAN.

Claims 21-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over IBM-TDB, "Connecting a USB Camera to a LAN", 05/01/99, Vol. 42, Issue # 421 and Uda et al., (US 6,515,758)

As per claims 21-23, IBM-TDB does not expressly teach wherein the buffer has a capacity for at least two image lines and that the buffer is a dual-port RAM. However, Uda teaches a Ethernet system wherein a image data from a printer is transmitted via

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Ethernet packets. Uda specifically teaches a dual-port RAM buffer that has the capacity for at least two image lines is well known in the art. (Uda, col. 8, lines 48-65, Figs. 10-13) It would have been obvious to one of ordinary skill for the buffer used in IBM-TDB to implement a dual-port RAM like the one utilized by Uda, because doing so would further expand the flexibility of the IBM-TDB's buffer by allow the buffer to simultaneously read and write image data via the dual-port RAM thereby improving efficiency.

Allowable Subject Matter

Claims 30-37 are allowed over the prior art.

Claims 24-26 and 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tammara Peyton whose telephone number is (703) 306-5508. The examiner can normally be reached between 6:30 - 4:00 from Monday to Thursday, (I am off every first Friday), and 6:30-3:00 every second Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin, can be reached on (703) 308-3301. The fax phone

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number for the organization where this application or proceeding is assigned is (703) 305-3718. Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Mailed responses to this action should be sent to:

Commissioner of Patents and Trademarks

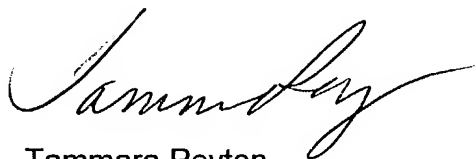
Washington, D.C. 20231.

Faxes for Official/formal (After Final) communications or for informal or draft communications (please label "PROPOSED" or "DRAFT") sent to:

(703) 872-9306

Hand-delivered responses should be brought to:

USTPO, 2011 South Clark Place, Customer Window
Crystal Plaza Two, Lobby Room 1B03, Arlington, VA, 22202Crystal Park II, 2121.



Tammara Peyton

August 4, 2004